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March 12, 2014

John M. Taladay
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VIA ELECTRONIC MAIL & FEDEX OVERNIGHT

Hon. Vaughn R. Walker (Ret.)
c/o Mr. Jay Weil
Federal Arbitration, Inc.
288 Hamilton Avenue, 3rd Floor
Palo Alto, California 94301
Jay.weil@fedarb.com

Re: *In re Cathode Ray Tube (CRT) Antitrust Litigation*, Case No. 07-cv-5944-SC
(N.D. Cal.)

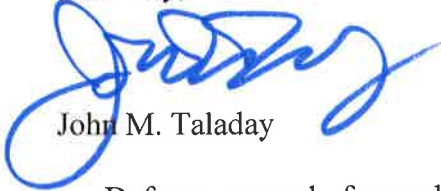
Dear Judge Walker:

We write on behalf of the appearing Philips, Chunghwa Picture Tubes, Ltd., LG Electronics, Samsung SDI, Toshiba Corp., Panasonic, and MTPD defendants ("Defendants") regarding the Direct Action Plaintiffs' ("Plaintiffs") Statement of Decision letter to you, dated March 4, 2014. In that letter, Plaintiffs bring to your attention the decision in *Vichi v. Koninklijke Philips Electronics, N.V., et al.*, C.A. No. 2578-VCP, slip op. (Del. Ch. Feb. 18, 2014) ("*Vichi* decision").

Defendants respectfully submit that the *Vichi* decision does not alter the legal analysis applicable here. In *Vichi*, the plaintiff made a request to the EC for its decision via a request for international assistance from the court. *See Vichi* Decision at 36. For reasons not explained in the *Vichi* decision, the EC found it appropriate in that case *not* to make an unredacted version of its decision available, but to make available a highly redacted version of one section of the decision. *See id.* at 36–37; *see also* Eric Van Ginderachter's Mar. 5, 2013 Ltr. to Jolling K. de Pree (enclosed). The EC may assess such requests on a case-by-case basis. *See* Defs.' Feb. 28, 2014 Ltr. at 2 n.3 & Ex. G. Plaintiffs in this case, however, have made no such request. Moreover, here, the EC has sent a letter to Defendants in this case expressly opposing disclosure of its confidential decision, including to Plaintiffs. *See id.*, Ex. D. Accordingly, the *Vichi* decision provides no basis for this Court to disregard comity and override that express instruction.

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Sincerely,

A handwritten signature in blue ink, appearing to read "John M. Taladay", with a large, stylized loop at the end.

John M. Taladay

cc: Defense counsel of record
Class counsel of record
California Attorney General



EUROPEAN COMMISSION
DG Competition

Cartels

Brussels 05 MARS 2013
COMP/G-5/JK/ib D*2013/021302

Koninklijke Philips Electronics N.V.

Via:

**De Brauw Blackstone Westbroek
N.V.**

Att: Mr. Jolling K. de Pree

P.O. Box 75084

1070 AB Amsterdam

Claude Debussylaan 80

The Netherlands

By Email

Subject: Case AT. 39437 – TV and Monitor Computer Tubes

Dear Mr. de Pree,

As you are aware, the European Commission ('Commission') and its services have received a "*request for international assistance in a civil or commercial matter*" from the Delaware Court of Chancery ('Court') concerning the matter of Carlo Vichi v Koninklijke Philips Electronics, N.V., L.G. Philips Displays Finance LLC and LG Philips Displays International Ltd, dated 28 December 2012 ('Request'). The Request relates to the Commission's decision of 5 December 2012 in the above referred case ('Decision').

In the Request, the Delaware Court of Chancery asks the Commission, to:

"(1) provide an unredacted copy of the Decision to the Court for use by the Court and outside counsel of record in the Delaware action for the parties only, subject to the terms of the Protective Order and on an attorneys-eyes-only basis; or

(2) authorize Philips to provide a copy of the Decision on the same terms; or

(3) in the event the Commission is unable to produce or authorize Philips to produce, an unredacted copy of the Decision, produce or authorize Philips to produce, a redacted copy of the Decision, revealing those portions concerning Philips, LG, and LPD, or if the inclusion of LG would delay the production, revealing only those portions concerning Philips and LPD."

You are also aware that the Commission services are in the process of establishing a redacted version of the Decision for the purpose of its publication on the website of DG COMP. In the course of this exercise, the Commission services have already received the confidentiality claims and introduced all those to a provisional redacted version of section 6 of the Decision (Addressees) insofar as it relates to Philips, LG Electronics and LPD. Hence, all potentially confidential information has been removed from this section, save for information confidential to Philips.

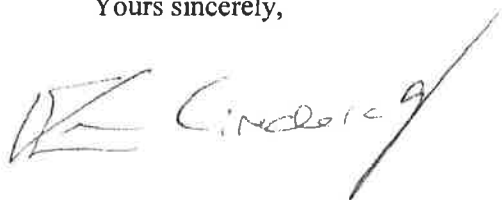
The Commission services therefore consider it possible to authorize Philips to produce this provisional version (enclosed as Annex to this letter) to the Delaware Court as requested in point 3 of its Request, as this version does not contain any other potentially confidential information than that of Philips, with respect to which Philips is best placed to enter into any suitable arrangements with the Delaware Court as far as its protection is concerned.

In view of the above, the Commission services do not object to Philips producing the attached provisional redacted version of Section 6 of the Decision (Annex) to the Delaware Court. This position relates only to the provisional redacted version enclosed in Annex 1 and not to any other part of the Decision.

Please keep the Commission services promptly informed of any further developments as well as of Philip's actions in the Delaware Matter relating to any documents stemming from or submitted within the Commission's investigation in the above referenced case.

Please note, that the Commission services will transmit a copy of this letter (without the Annex) to the Delaware Court in response to its Request. Finally, I would like to emphasize that this letter should not be construed as being in support of any party in the proceedings before the Delaware Court.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'Eric Van Ginderachter', with a long, sweeping horizontal stroke extending to the right.

Eric VAN GINDERACHTER
Director

Annex: Redacted version of Section 6 of the Commission's decision in case AT. 39437
TV and Monitor Computer Tubes

Copy (letter only): Honorable Donald F. Parsons, Jr., Vice Chancellor of the Court of
Chancery of the State of Delaware, U.S.A.